

DISPOSITION: May 2, 1945. Curtis J. Prock, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

S173. Misbranding of sirup. U. S. v. 479 Cases and 99 Cases of Sirup. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 15904, 15905. Sample Nos. 29225-H, 29227-H.)

LIBEL FILED: April 14, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about February 14, 1945, by S. L. Myrick, from Jefferson and Winnsboro, Tex.

PRODUCT: 479 cases, each containing 6 jars, and 99 cases, each containing 12 jars, of sirup, at Bakersfield and Shafter, Calif. The product was found to be short of the declared volume.

LABEL, IN PART: "East Texas Home Made Sugar Cane Syrup and Corn Syrup Blend [some jars, "1 Quart, 1 Pint, 8½ Fluid Ounces," others "1 Quart, 1 Pint, 10½ Fluid Ounces"]," or "New Crop East Texas Ribbon Cane Syrup Blended with Corn Syrup, Net Contents 1 Pint 8 Ounces." In the latter label, the words "Ribbon Cane Syrup" were in large, conspicuous type and the words "Blended with Corn Syrup" were in small, inconspicuous type.

VIOLATIONS CHARGED: Misbranding, Section 403 (e), the article failed to bear a label containing an accurate statement of the quantity of its contents; and, Section 403 (a), the prominent statement, "Ribbon Cane Syrup," on the label of a portion of the article, was false and misleading since the statement, "Blended with Corn Syrup," did not effectively advise prospective purchasers that the article was other than cane sirup.

DISPOSITION: May 15, 1945. S. L. Myrick, claimant, having admitted the material allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

S174. Adulteration of corn sirup solids. U. S. v. 442 Bags of Corn Sirup Solids. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16787. Sample No. 23016-H.)

LIBEL FILED: July 5, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 5 and 29 and March 17, 1945, from Chicago, Ill.

PRODUCT: 442 bags of corn sirup solids at Memphis, Tenn., in the possession of the Tennessee Warehouse Co. The product was stored under insanitary conditions after shipment. Some bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 4, 1945. The Mid West Dairy Products Corporation, DuQuoin, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and converted into stock feed or destroyed, under the supervision of the Federal Security Agency.

S175. Adulteration of sugar. U. S. v. 95 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16235. Sample No. 765-H.)

LIBEL FILED: May 24, 1945, Middle District of Georgia; libel amended May 28, 1945.

ALLEGED SHIPMENT: On or about January 10, 1945, from Tampa, Fla.

PRODUCT: 95 100-pound bags of sugar at Columbus, Ga., in the possession of the Muscogee Wholesale Grocers, Inc. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product was contaminated with rodent urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been

held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 21, 1945. The Muscogee Wholesale Grocers, Inc., Columbus, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be re-refined under the supervision of the Food and Drug Administration.

8176. Adulteration of sugar. U. S. v. 12 Bags of Sugar. Default decree of condemnation. Product ordered sold. (F. D. C. No. 16751. Sample No. 23010-H.)

LIBEL FILED: June 30, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about April 14, 1945, from Franklin, La.

PRODUCT: 12 100-pound bags of sugar at Memphis, Tenn., in the possession of the Grennan Bakeries. The product had been stored under insanitary conditions after shipment. Rodent excreta and urine stains were observed on the bags. Examination showed that the product was contaminated with urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been stored under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, the purchaser to adopt such safeguards against its use for human consumption as were directed by the Federal Security Agency.

8177. Adulteration of sugar. U. S. v. 7 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16747. Sample No. 23009-H.)

LIBEL FILED: June 30, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 16, 1945, from New Orleans, La.

PRODUCT: 7 100-pound bags of sugar at Memphis, Tenn., in the possession of the W. B. Mallory and Son Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the sugar was contaminated with urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 6, 1945. W. B. Mallory and Sons Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and conversion of the unfit portion into stock feed, under the supervision of the Food and Drug Administration.

8178. Adulteration of corn sugar. U. S. v. 50 Bags of Corn Sugar. Default decree of forfeiture and destruction. (F. D. C. No. 15918. Sample No. 19110-H.)

LIBEL FILED: April 13, 1945, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about October 18, 1944, from Cedar Rapids, Iowa.

PRODUCT: 50 100-pound bags of corn sugar at Wausau, Wis., in the possession of the Mathie Ruder Brewing Co. This product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent excreta and rodent hairs and was contaminated with rodent urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 28, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.